Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Application of American Transmission Company and Wisconsin Public Service Corporation for Permits to Remove Materials and Place Bridges and Related Structures on Navigable Waters and for Water Quality Certification Relating to Wetlands in Connection with Placement of Electric Transmission Lines Located in Several Wisconsin Counties	Case Nos: IP-04-8108 – IP-04-N8109 & GP/IP-04-N8222 – GP/IP-04-8326

FINDINGS OF FACT, CONCLUSIONS OF LAW, PERMIT AND WATER QUALITY CERTIFICIATION

On May 16-17, 2005 and June 20-23, 2005, a hearing was held at Hayward, Wisconsin, Jeffrey D. Boldt, administrative law judge, presiding.

The parties requested an opportunity to submit written briefs, and the last brief was received on July 1, 2005.

In accordance with Wis. Stat. §§ 227.47 and 227.53(1)(c), the PARTIES to this proceeding are certified as follows:

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EXECUTIVE SUMMARY

While there are many other objections to placement of this transmission line including the location of the line route, this case relates solely to two issues. First, whether or not the applicants have carried their burden of proof as to whether a Water Quality Certification for wetlands should issue pursuant to the standards found in NR 103 and NR 299, Wis. Admin. Code. Second, whether the project opponents have carried their burden of proof in opposing issuance of the Chapter 30 permits. Both of these issues limit the jurisdictional reach of the DNR and the Division significantly.

The project will involve direct filling of no more than 0.5 acres of wetlands for placement of foundations for 317 pole structures, and impacts to wetland areas associated with construction equipment access. However, the petitioners have limited their challenge to specific geographic areas of the project route. Accordingly, less than 10 percent of the total number of pole structures (126 of 1481), are being challenged in this appeal. A preponderance of the credible evidence supports a finding that the proposed project, if constructed in accordance with the permit as drafted, will not result in significant adverse impacts to wetland functional values, significant adverse impacts to water quality or other significant adverse environmental

consequences. Accordingly issuance of Water Quality Certification is appropriate pursuant to the standards of Wis. Admin. Code § NR 103.08.

The Chapter 30 permits relate solely to whether a maximum of 106 temporary clear span bridges (TCSB's) over waters of the state meet statutory requirements for issuance. The approval of TCSB's is limited to waterways within the project right-of-way that cannot be avoided by accessing from another, landowner-approved location. The temporary bridges are expected to have less impact on water quality and stream flow patterns than the use of culverts or fords. There was very little evidence presented by the petitioners that even related to the TCSB's part of the project. There was some generic discussion about these bridges in connection with allegations that the DNR failed to undertake a sufficient review of sites. However, no specific bridge was challenged, nor was there any relevant testimony that set forth in detail how the petitioners believed the TCSB's failed to meet Chapter 30 standards. The petitioners have not carried their burden of proof and issuance of permits for the TCSB's is appropriate.

The permit was modified to require a visual mitigation plan for all "shorelands" as defined in NR 115.03 (8) as part of the Construction Mitigation Plan Part B process. Further, given past problems with locating and filling soil boring locations, the permit was modified to require that the Department and the environmental enforcement monitors be provided with detailed drawings that indicate the location of all soil borings undertaken in wetland areas, and some photographic evidence demonstrating proof that bore holes have been property filled.

FINDINGS OF FACT

The following Findings, proposed by the Department of Natural Resources are accepted in full.

1. American Transmission Company (ATC) and Wisconsin Public Service Corporation (WPS) have filed an application for permits to place temporary clear span bridges across waterways, to dredge in waterways, and to discharge fill in wetlands listed in Table 1 (attached to the permit below) for the purpose of constructing a 345-kilovolt (kV) electric transmission line.

2. The proposed project is to construct a new Arrowhead to Weston 345-kV transmission line approximately 208 miles through Wisconsin. The Wisconsin portion of the project will start at the St. Louis River in Douglas County, and run east approximately 9 miles along the Duluth, Missabe, and Iron Range Railway Company (DM&IR) railroad. The route then generally runs in a southeast direction approximately 143 miles passing west of Solon Springs, east of Stone Lake, west of Ladysmith, west of Sheldon, and west of Gilman, to the Owen-Withee area in Clark County. The route then runs easterly approximately 56 miles, passing south of Abbotsford and Edgar, until ending at the substation in Weston, in Marathon County. The line passes through part of Douglas, Washburn, Sawyer, Rusk, Chippewa, Taylor, Clark and Marathon Counties.

3. The fundamental project purpose stated by the co-applicants is to strengthen the bulk regional transmission system by providing a second, high-capacity connection across the Wisconsin – Minnesota transmission interface. The Arrowhead-Weston project was approved by the Public Service Commission of Wisconsin (PSCW) as one of several projects that may help address Wisconsin's electric system reliability needs.

4. The Department provided information relative to Department authorities, areas of concern, wetland inventory mapping, and endangered and threatened species and habitats to PSCW and the co-applicants prior to the submittal of their Certificate of Public Convenience and Necessity (CPCN) application.

5. In November 1999, CPCN co-applicants Wisconsin Public Service Corporation (WPSC) and Minnesota Power (MP) provided a joint application to the PSCW for a CPCN.

6. As part of their approval process, PSCW developed an Environmental Impact Statement (EIS) that provided a description of the proposed project, described the existing environment, evaluated the system needs, evaluated system level alternatives, evaluated multiple transmission line routing alternatives, and described the socio-economic and environmental impacts expected from the various alternatives.

7. The Department cooperated with PSCW in the review of the CPCN application and development of the Draft EIS, which was released in May 2000.

8. After release of the Draft EIS, the Department provided comments on the Draft EIS to the PSCW on June 30, 2000, including 3 pages of general comments and 7 pages of page/paragraph-specific comments.

9. The PSCW released a Final EIS in October 2000.

10. The Department requested limited intervenor status for the technical hearings for the project in a letter to Judge Geske, dated October 27, 2000.

11. As a limited intervenor, the Department provided pre-filed testimony for the PSCW technical hearing on November 22, 2000.

12. The Department testimony included several statements relative to the Department's position that the Final EIS was adequate. In developing the testimony, Department staff reviewed the Final EIS and compared the text to the page/paragraph detailed comments provided to PSCW on June 30, 2000. The Department has determined that comments not fully addressed in the Final EIS were either not significant in nature or have been addressed through the permit application review.

13. Project Coordinator, David Siebert, presented the Department testimony at the PSCW Technical Hearing in February 2001.

14. The PSCW granted approval for the electric transmission line project in October 2001 (Docket 05-CE-113). The PSCW Final Order included findings that the project is necessary to satisfy the reasonable needs of the public for an adequate supply of energy; the project is in the public interest, considering alternative sources of supply and routes, individual hardships, engineering, economic, safety, reliability, and environmental factors; and approved the "Oliver 1 Modified" (Oliver to Exeland) and the "Owen 4" (Exeland to Weston via Owen) routes. The Final Order specified a centerline for the route.

15. On November 26, 2002, the co-applicants filed petitions requesting amendment of the final decision resulting from, among other things, projected cost increases. The PSCW issued its Order Modifying the Final Order on December 19, 2003. The Order concluded that a supplemental EIS was not required under Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

16. On October 4, 2004, the Department received application materials (under cover letter dated October 1, 2004) that supplemented materials, previously submitted in August 2004 and July 2002, relative to a Chapter 30 permit and wetland water quality certification.

17. The Department provided public notice that effective October 22, 2004, the Department determined the Application complete, pursuant to Wis. Stat. § 30.208 and Wis. Admin. Code chs. NR 300, 310, and 299. By requirement of the DNR, the co-applicants published the notice as a Class 1 Notice and mailed the notice to more than 2200 people.

18. The October 22, 2004, Public Notice included language regarding a tentative decision on WEPA compliance pursuant to Wis. Stat. § 1.11 (WEPA) and Wis. Admin. Code ch. NR 150.

19. Based on the co-applicants' request, in the letter dated October 1, 2004, pursuant to Wis. Stat. § 30.208, the Department scheduled two public informational hearings to receive public comment on the application. The hearings were held on Wednesday, November 10, 2004, and Thursday, November 11, 2004, at the Solon Springs Community Center, and the Holiday Inn & Suites in Mosinee, respectively.

20. The Department fully considered the PSCW Final EIS in the review of the subject wetland/waterway permit application. Included in Chapters 3 through 5 of the PSCW Final EIS is an analysis of need and of the impacts of several system level alternatives. The Department fully considered Chapters 6, 7, 9, and 12 for the AW route-specific impact analysis. These chapters provide a detailed analysis of the impacts of the proposed routes, as well as route alternatives not approved by the PSCW in its 2001 Final Order. The Department considered the following pages with discussion of expected impacts and mitigation measures:

A. Chapter 6- pages 239-247 for general description of the Oliver sector routes
B. Chapter 6- pages 257-271 for general description of the Owen sector routes
C. Chapter 6- pages 282-286 general discussion of transmission line construction and mitigation practices
D. Chapter 6- pages 288- 299 on methods of analysis

E. Chapter 7- pages 303-307 for current conditions "Oliver" routes
F. Chapter 7- pages 308-348 and p 401 for Oliver 1 route specific assessment information
G. Chapter 9- pages 491-495 for current conditions "Owen" routes
H. Chapter 9- pages 549-567 for Owen 4 route specific assessment information
I. Chapter 12- pages 647-653 for comparisons of routes in the Oliver sector
J. Chapter 12- pages 658-663 for comparisons of routes in Owen sector

21. Specific to the subject permit action, the Department considered the following information regarding wetland and waterway impacts as disclosed in the PSCW Final EIS on pages:

A. Pages 282-286 for a general discussion of construction and mitigation techniques;
B. Pages 313- 333 and 335-337 for discussion of the Oliver 1 route
   - impacts to lakes p. 313
   - impacts to rivers and streams in general p. 314
   - accessibility for construction pp. 315-316
   - waterway specific impacts pp. 316-319 and 329
   - Namekagon River impacts and alternatives pp. 319-328
   - Wetlands impacts in general pp. 329-331
   - Inaccessible wetlands p. 331
   - Sensitive wetland areas p. 331
   - High quality wetlands pp. 332-333
   - impacts to wildlife and threatened and endangered species pp. 335-337
C. Pages 554-558; 560-562; and 565-566 for discussion of the Owen 4 route
   - impacts to lakes p. 554 (which references p. 518)
   - impacts to rivers and streams in general p. 554
   - waterway specific impacts p. 555
   - accessibility for construction pp. 555-556
   - Wetlands impacts in general pp. 556-557
   - Inaccessible wetlands pp. 557-558
   - Sensitive wetland areas p. 558
   - High quality wetlands p. 558
   - Forested wetlands pp. 558-559
   - impacts to wildlife and threatened and endangered species pp. 560-561
   - special areas pp. 565-566.

22. The Department has reviewed and considered information presented in the application materials including: air photos of proposed bridge locations, wetland access routes, wetland fill (pole) locations; DVD's of both winter and leaf-off condition helicopter flights of the entire line route; and digital photos of specific access routes. Department staff conducted a driving tour of the entire line using the nearest legal access points to observe conditions.

23. This project will include a maximum of 106 temporary clear span bridges (TCSB's) over waters of the state.

24. The approval of TCSB's is limited to waterways within the project right-of-way that cannot be avoided by accessing from another landowner-approved location.

25. The placement of TCSB's is limited to the timeframes established in NR 320, unless otherwise approved by the Department's local fisheries biologist.

26. TCSB's are expected to have less impact on water quality and stream flow patterns than the use of culverts or fords.

27. The project will involve direct filling of no more than 0.5 acres of wetlands for placement of foundations for 317 pole structures, the cutting of trees and woody vegetation in forested wetlands, including clearing of approximately 90 acres of forested wetlands along new (not adjacent to pipeline, railroad or roadway) right-of-way, and impacts to wetland areas associated with construction equipment access.

28. Changes have been made in locations of structures, construction access, construction techniques and restoration measures to avoid or minimize wetland impacts.

29. The Department has determined that there is not a practicable alternative that avoids wetland impacts. The Department has reviewed all proposed pole locations within wetlands on the PSCW approved route, including the logistical and technical factors cited by the co-applicants as reasons that alternatives that would further minimize wetland impacts are not practicable. Based on the information provided by the co-applicants and the conditions of this permit, the Department has determined that there are not practicable alternatives to the wetland impacts remaining along the final route.

30. The project will impact 51 wetland areas associated with areas of special natural resource interest pursuant to § NR 103.04 and as identified in Table 2. The Department considered the potential adverse impacts to these wetlands and determined that the impacts have been avoided and minimized to the greatest extent practicable if the provisions of this permit are met.

31. Pursuant to Wis. Admin. Code § NR 103.08, the proposed project, if constructed in accordance with this permit, will not result in significant adverse impacts to wetland functional values, significant adverse impacts to water quality or other significant adverse environmental consequences.

32. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in Wis. Stat. § 283.01(6m).

33. The proposed project, if constructed in accordance with this permit and protection measures required and recommended by the Department's Office of Energy and Bureau of Endangered Resources, will avoid or minimize impacts to endangered resources. Specifically, if

the avoidance measures for state-listed threatened or endangered animals are implemented, then an incidental take authorization will not be required pursuant to the letter dated December 21, 2004.

34. Under Wis. Admin. Code § NR 150.03 (8)(f) #11 and #18, the activities for which the Department has authority in this matter are considered Type IV actions requiring no public notice as to WEPA compliance, and no EIS or EA. It is the final decision of the Department that preparation of an Environmental Impact Statement (EIS) or an environmental assessment is not required and that WEPA compliance has been completed pursuant to Wis. Stat. § 1.11 (WEPA) and Wis. Admin. Code ch. NR 150.

35. The Department and the co-applicants have completed all procedural requirements and the project as permitted will comply with all applicable requirements of Wis. Stat. §§ 1.11, 30.123, 182.017 and Wis. Admin. Code chs. NR 102, 103, 115, 116, 117, 150, 299, 320.

36. The attached Tables 3, 3a, and 3b prescribe construction requirements for each waterway and wetland crossing.

37. Due to lack of legal access to all sites along the proposed route, this permit is predicated on a worst-case analysis of impacts and Table 3 prescribes the most protective measure for each waterway and wetland impact.

38. The co-applicants have committed to providing additional information and plans in the CMP-B for each spread, required for final Department approval of activities in and near wetlands and waterways.

ADDITIONAL FINDINGS

39. The Division does not have jurisdiction to review the Department's discretionary decision relating to whether or not to prepare an EIS. The Division has authority to review for procedural compliance with WEPA, and finds that the procedural requirements have been met.

40. The TCSBs have no discernible aesthetic or natural scenic beauty impact as they are temporary (Callan) and even when present, are mandated to be of natural earth-tone color (DNR Permit, Exhibit 410, Condition 50); further, the construction and placement of the TCSBs must minimize the removal of trees, shrubs, and other shoreline vegetation above the OHWM (DNR Permit, Exhibit 410, Condition 49).

41. The TCSBs will not materially obstruct navigation; will not materially reduce the flood flow capacity of a stream; and will not be detrimental to the public interest. (Callan, Day, Storlid, Knaffla).

42. Petitioners failed to produce evidence that any TCSB will violate any permit standard.

43. The evidence established that the placement of transmission poles for this Project will not have a significant adverse impact on the aesthetics or natural scenic beauty of wetlands. (Callan, Knaffla, Storlid, Day, Valine).

44. The issue of aesthetics was considered in a limited way when the PSC selected the route. (Callan) Wis. Stats. §§ 196.49(3)(d)3r and 4 require that the PSC approve a CPCN for a transmission line only if it determines that existing rights-of-way are used to the extent practicable, and that the facility will not have undue adverse impact on the aesthetics of land, water and recreation use. The PSC directed that the route follow existing corridors for transmission lines, pipelines, and railroads. Use of existing corridors was taken into account in the Department's assessment of impacts on natural scenic beauty, the fact the route was approved by the PSC, the project purpose, and the limits of DNR jurisdiction. (Callan) Approximately 74% of the route follows such corridors. (Williamson, Holtz, Storlid, Day; Ex. 402)

45. The evidence showed that Applicants cannot simply move poles or reduce pole heights. Pole spotting involves a myriad of engineering, safety, cost, and environmental considerations and trade-offs (Holtz; Ex. 457) As an example, moving a pole may require adjoining poles to be placed in wetlands; reducing pole heights results in more poles, and again, possible placement of poles in wetlands not currently utilized. (Holtz, Valine, Day)

46. The evidence also showed that burying these transmission lines underground is not reasonable or practical and, indeed, could create much greater impacts to the wetland areas and the environment than overhead construction. (Holtz, Egtvedt)

47. The Petitioners failed to identify any reasonably practicable construction or mitigation measure not identified in the Application and in the Permit that would further reduce aesthetic impacts to wetlands.

48. Further, visual mitigation techniques will be undertaken to reduce the aesthetic/natural scenic beauty impact of the poles and lines. Self-weathering single mono-pole structures will be used. (Williamson) In wetlands, the 120 foot-wide right-of-way will not be clear-cut from one side to another; clearing will only occur around the structure and wire pull locations. (Knaffla, Storlid, Day) Visual mitigation techniques such as feathering and buffering will be used and these techniques have been successfully used in the past as clearly shown by the testimony and exhibits related to the CUP Project and the portion of this Project already constructed in Minnesota. (Knaffla, Storlid, Valine, Egtvedt; Exs. 423-425, 439, 502, 537-544)

49. A specific visual mitigation plan acceptable to the DNR shall be a part of the CMP-B for the following areas: all poles located within wetlands and any poles placed within "shorelands" as defined in Wis. Admin. Code § NR 115.03 (08). This permit condition is necessary to mitigate impacts to natural scenic beauty in areas subject to regulation by the Department and county zoning regulations.

50. Given past problems with a sub-contractor failing to properly locate and fill soil borings, the permit is modified to require detailed drawings locating soil bore holes, and further requiring some photographic evidence that bore holes have been properly capped and filled. This permit condition is necessary to protect water quality.

DISCUSSION

The ATC/WPSC transmission line project spans a large area of northwest Wisconsin, and has generated significant and sincere opposition. Many landowners are upset about having larger towers placed on their property in existing right-of-way areas. Others oppose the creation of new right-of-way areas and the installation of poles on their lands. There is no question that placement of these towers represents a significant intrusion onto the land of the people impacted. However, the Division does not have authority to rule on right-of-way issues or other legal concerns relating to the placement of the structures or the location of the route. Those issues have already been decided. The issues which are the focus of this hearing relate solely to the DNR permit and potential environmental impacts.

The objectors did raise reasonable concerns about environmental impacts along the 208-mile route. Before addressing the substance of these concerns, it is important to define the limited jurisdiction of the DNR and the Division in this matter. This case relates solely to two issues. First, whether or not the applicants have carried their burden of proof as to whether a Water Quality Certification for wetlands should issue. Second, whether the project opponents have carried their burden of proof in opposing issuance of the Chapter 30 permits. Both of these issues limit the jurisdiction reach of the DNR significantly.

Approximately 30 percent of the 208-mile route in Wisconsin is proposed to be placed in wetlands – 317 poles out of a total of 1481. (Tr. p. 1017) Further, the petitioners have limited their challenge to specific geographic areas of the project route. This means that less than 10 percent of the total number of poles – 126 of 1481 are being challenged in this appeal. (*Id.*.)

The Chapter 30 permits relate solely to whether 105 temporary clear span bridges (TCSB) would meet the statutory standards for issuance. There was very little evidence presented by the petitioners that even related to the TCSB's part of the project. There was some generic discussion about these bridges in connection with allegations that the DNR failed to undertake a sufficient review of sites. However, no specific bridge was challenged, nor was there any relevant testimony that set forth in detail how the petitioners believed the TCSB's failed to meet Chapter 30 standards. This paucity of evidence stands in sharp contrast to the detailed plans of the applicants and the extensive review of the TCSB's by the DNR. The record indicates TCSB's will have no detrimental impacts on any navigable water of the state and the permit granted by the DNR must issue. These structures are by their very nature temporary. Their sole purpose in the context of this project is to prevent environmental damage related to the use of equipment in and around streams.

With respect to wetland impacts, the petitioners presented the testimony of Dr. Zaber. One of Dr. Zaber's chief concerns relates to the CMP-B process which was required by the PSCW. Dr. Zaber testified as follows:

> Specifically, the following items for each wetland affected are supposed to be provided in the CMP-B plans: 1) Final Access Plan; 2) final cross-section drawings for each TCSB and related structures; 3) final construction method proposal with appropriate descriptors from Tables 3, 3a, and 3b and "Construction Specials" as outlined in the application; 4) visual mitigation plan; 5) endangered resources plan; 6) invasive species management plan; 7) final wetland restoration plan, including specifics on debris management, and minimizing impacts to black spruce, tamarack and hemlock; 9) final sequencing plan; 10) post-construction monitoring plan. Without these critical pieces of information for each wetland affected, it is impossible to make an informed decision as to the extent of impacts to wetland functional values. (Zaber Prefiled Test. at 7-8; Zaber Hrg. Test., 6/21/05)

Dr. Zaber's testimony seems to presume that because this information is required as part of the CMP-B plan, that it was not subject to review as part of the preliminary permit process. However, this assumption simply does not square with the record presented at hearing.

The CMP-B's provide additional specifics about access and other final construction plans, that are subject to contingencies that are outside the control of the applicants or the DNR. (Tr. p. 1468) However, most if not all of the information and requirements listed by Dr. Zaber above are <u>already</u> known to and planned for by the DNR. Dave Seibert of the DNR testified that there was sufficient information in the record to support issuance of the WQC without the CMP-B requirements. (Tr. pp. 234-236) For example, the petitioners raised concerns about the Chittamo Bog during cross-examination of Mr. Egtvedt. DNR Office of Energy Water Management Specialist Ben Callan provided extensive detail about the features of the area, the methods to be utilized under "Construction Special 4" requirements, and even detailed plans for which access roads to use. (*See:* Tr. pp. 1475-1479)

WPS witness Greg Egtvedt noted that the Part B CMP's are "consolidation documents" that bring together existing information into a form best suited for use in the field. ATC witness Janet Knaffla, who oversaw a similar transmission line project in Michigan, testified as follows:

> The CMP-Bs will be used in the field to guide and control the construction process in terms of the environment. They will also be used to conduct training for construction employees as to environmental avoidance and mitigation measures. The actual construction operators will get an environmental task list that will be provided to them weekly and daily, and this, along with the training,

> will advise them in detail as to what practices must be followed and what practices must be avoided. (Tr. p. 1219)

This brings us to the substance of concerns about the impacts on wetlands as a result of the project. The DNR and the co-applicants have done an excellent job in limiting the placement of poles in wetland areas. The total fill area is less than one-half acre of surface area. However, these large poles are placed fairly deep into the wetland area.

Dr. Zaber raised serious, but slightly vague concerns. He testified as follows:

> The construction activities required for the proposed A-W Project will have significant short and long-term adverse impacts on each of the wetlands and waterways at each location. Even if the mitigation measures required in the WDNR Bridge/WQC permit are fully implemented with 100% success rates over the life of the project, the wetlands and waterways within and adjacent to the ROW will be harmed because they will have reduced habitat values for native species, degraded water quality, changes in surface hydrology, and reduced resistance to infestation by non-native, invasive species. (Zaber Prefiled Test. at 8; Zaber Hrg. Test., 6/21/05)

Ben Callan of the DNR provided a very cogent summary of the DNR WQC requirements and why they meet the standards of NR 103 and NR 299:

> "We have considered each wetland and the potential site-specific direct impacts extensively, as provided above in testimony and several exhibits. We have considered secondary impacts to wetlands through our focus on access issues associated with the construction through wetlands, requirements for restoration, wooded wetland management and visual mitigation in the CMP-B, as provided above in testimony and several exhibits. We have considered cumulative impacts to wetlands in the context of the PSCW Orders. We have worked to locate pole placements outside of the wetlands along the route. We will confirm this through the CMP-B's. We have established the most protective prescriptions based on the information provided and the knowledge gained on the field visit. The prescriptions took into consideration avoidance first, then minimization of impacts. We have imposed conditions in the permit to ensure the excavated material from the structure construction be removed from the wetland. We have imposed conditions that require restoration to assure maintenance of species diversity and control of invasive plans where there will be impacts. The applicants and OE have developed a set of descriptors to further define the type of wetland limitations that exist at the site. The PSCW Order requirement for the CMP-B is also a Department permit condition that will allow us to review and impose further conditions to wetland areas based on the current site conditions in the year of construction and the time of that year the project is constructed. The PSCW Order requires an environmental monitoring system and we will work

closely with the PSC environmental monitor, the applicant's inspectors, and the contractors' inspectors…." (Tr. pp. 1470-1471)

Ms. Knaffla and Mr. Storlid testified at length about their experience with similar transmission line projects that were placed in wetland areas. Somewhat surprisingly, there was simply no evidence of the type of impacts to water quality, habitat values, or floral diversity which Dr. Zaber was concerned about. This is due in large part to the detailed and sophisticated construction process undertaken to minimize both short-term and long-term impacts to wetlands. Ms. Knaffla provided detailed photos of the entire process of preparing, placing, and restoring wetland areas in a national forest location in Michigan. (Ex. 423) There was no evidence of habitat or wetland plant degradation, and post-construction restoration efforts were extremely successful.

Mr. Storlid testified that he personally inspected the Minnesota CUP project that used the same contractor, M. J. Electric, who will construct the line in Wisconsin. "The CUP project is an excellent example of how wetlands will respond to transmission line construction", Mr. Storlid testified. (Tr. p. 997) The revegetation process was "quick and successful", and floral diversity and habitat values were preserved. (Exs. 453-455, Tr. p. 1000) Another NRC scientist, Elizabeth Day testified that she was involved in every phase of a transmission line project that went through sensitive wetland areas in southeastern Wisconsin. The route included Kettle Moraine State Park and Lulu Lake Nature Conservancy. Ms. Day testified that "post-construction monitoring confirmed that there were no significant impacts to wetland functional values". (Tr. p. 525) Further, DNR staff also visited the same project areas as these witnesses, and confirmed that there were no significant detrimental impacts to wetland functional values. Perhaps equally significant, the objections did not present any testimony providing evidence that similar transmission line projects have had the detrimental impacts which Dr. Zaber testified might be expected. A clear preponderance of the credible evidence supports a finding that the project will not have detrimental impacts to wetland functional values if the construction is undertaken in accordance with the terms and conditions of the permit and WQC.

There was considerable testimony relating to one specific location along this route, the George Sherlock property in Spread SB (Stone Lake to Bass Lake) in Sawyer County off Hauer Road. This is a new area of right-of-way near, but not on the Lac Courte Oreilles Reservation. The property owner, Mr. George Sherlock, is deeply attached to this land and has lived an inspiring life that has left almost no "human footprint" on his property. He lives without electricity in the "old way." It is understandably troubling for Mr. Sherlock and his friends to see his land disturbed, even temporarily, in connection with this project. First, as noted previously, the Division does not have authority to review the fundamental intrusion onto his property but only the environmental impacts. Further, the Division must apply the same set of legal standards to all property owners along the 208-mile route. So the issue on his property, as on all others, is whether the applicants have met the standards under Chapter 30 and NR 103 and NR 299.

There is a stream that was not identified in the original application and review by the DNR. There is also some wetland vegetation in the area near the small stream. (Tr. pp. 1446-1447) This property does not require any unusual construction techniques to minimize impacts to the stream and to wetlands. (*Id*.)

The exact final construction plans depend upon the access provided by private landowners in the area.

Mr. Callan testified as follows about his property:

> The permit requires that the CMP-B resolve the final access plan for the line construction. As such, we envision a process whereby the applicants will provide in the CMP-B a refined plan for access and construction methods to avoid and minimize impacts to the waterway and wetlands. If the final access plan requires a bridge over this waterway and during our review of the CMP-B we determine that the waterway in question is navigable, the permit will need to be amended to add a bridge at this location. This portion of the route in Spread SB has several pole locations where access is planned along the right-of-way (see Exhibit 318) and through wetlands using mats or under stable conditions. It is our hope that the applicants can gain access across private property to access structures SB076, SB078 through SB081 directly from Summit Lake Road along paths perpendicular to the line route. If this can happen, the impacts to wetlands will be greatly reduced, though there will still be activities in wetlands that we do not have authority over including vegetation cutting and crossing of these wetlands by low ground pressure stringing machines (see Exhibit 308 Figure, Vol. 2-42) (Tr. pp. 1446-1447)

There is no evidence in the record that there would be any detrimental impact from placement of the TCSB at this location. Nor is there any evidence that the construction will result in detrimental impacts to wetland functional values, so long as construction is undertaken pursuant to the permit conditions and the CMP-B.

Mary Ellen Baker by Sandy Lyon argues in her brief that the power transmission line would have a detrimental impact upon the ability of nearby tribal members to gather medicinal plants on Mr. Sherlock's property. However, there was simply no evidence establishing how this would be the case. There was no expert or credible testimony of any kind relating to "stray-voltage" type concerns harming plants. Further, there was no testimony that any pole structure would be placed directly in an area which would harm such plants. Finally, the applicants are hereby advised that they should take all reasonable precautions at this location to preserve such plants, including but not limited to transplanting such plants in suitable areas with the approval of Mr. Sherlock.

Another value over which objectors raised reasonable concerns relates to potential impacts on natural scenic beauty. Many of the most significant concerns related to the visual impacts of the transmission line from areas that are visible from navigable lakes, but where the

pole itself is not located below the ordinary high water mark (OHWM) or in a wetland and thus not subject to the jurisdiction of the DNR.

As the applicants note, the objectors presented very little or no testimony from people who regularly make use of wetlands where poles will be placed. Rather, the objectors presented the more general testimony of Mr. Charles Mitchell. He stated his opinion that the proposed project would "create several types of negative scenic or visual impacts, including visual clutter, 'skyling,' impacts of size or scale, and disturbance of view-sheds." (Tr. p. 440; Ex. 22)

However, Mr. Mitchell's testimony suffered from serious deficiencies that detract from the weight that can be fairly given it. First, it was not clear from his testimony that he knew which lakes and streams were being challenged by the objectors. Further, he did not know which specific transmission poles would be placed in wetlands. (Tr. pp. 458, 460) He did not personally walk or take pictures of any wetland areas.

There is no question that placing these very tall structures will have some impacts on scenic values in wetlands where some 317 poles will be placed. However, the overwhelming majority of these will be placed in existing utility right-of-ways, roughly three quarters of the approved route. The newer structures will be taller and more industrial in appearance. However, the project makes use of poles constructed of a self-weathering steel that turns dark brown to better blend in with surroundings. There will be limited right-of-way clearing in wetland areas, primarily around the structure itself and the area needed for wire pulling. Further, state-of-the-art visual mitigation techniques are required by the permit. As Ben Callan of the DNR testified:

> The natural scenic beauty concern for wetlands under the provisions of NR 103, Wis. Adm. Code, is considered in conjunction with the other wetland functional values, as discussed later. The scenic impacts to wetlands took into account the limitations of the project based on the stated project purpose as well as the approved PSCW route. Again, we also factored in the land-use within or adjacent to the A-W right-of-way (existing pipeline, railroad, transmission line, agriculture, forested). Furthermore, the permit requires that the CMP-B include a visual mitigation plan. The application references visual mitigation measures to be employed. In fact, some of the prescribed construction methods listed in Table 3 of the permit includes Construction Specials (CS) specifically related to visual mitigation. The CMP-B requirements for the visual mitigation plan includes feathering of right-of-way edges and not cutting some short growing trees and shrubs along areas such as stream crossings, road crossings, trail crossings and forested wetlands. Additionally, the National Park Service is also requiring visual mitigation of the Namekagon River. (Tr. pp. 1444-1445)

As with other functional values, much of the focus of the testimony related to one specific area, near lower Holly Lake and the property owned by Ms. Tierney. Much of Ms. Tierney's testimony related to poles located along an existing transmission line and located outside of wetlands. (*See*, pages 5 of 41 through 10 of 41 of Spread SB in Volume 3 of the Application) The site inspection confirmed that the pole closest to Ms. Tierney is outside the

regulating jurisdiction of the DNR or the Division because it is not located below the OHWM or a wetland. Ms. Tierney did testify regarding SB 046, which is located within a wetland. Ben Callan testified that SB 046 would replace an existing H-frame structure that is presently visible from Lower Holly Lake and located below the OHWM of Lower Holly Lake with a single monopole structure located above the OHWM. (Tr. pp. 1452-1453, 1500-1501; Ex. 513) It is clear that the Department has imposed permit conditions that minimize the negative impacts to aesthetics throughout the areas within its jurisdiction.

However, to make sure that every possible care is taken to reduce visual impacts in this area, the permit is modified to require a specific visual mitigation plan for this area as part of the CMP-B process. This requirement, as set forth in Finding #46, requires a specific visual mitigation plan component in structures placed in wetlands (this was already included in the permit) but also to areas, such as one of the poles identified by Ms. Tierney, where the pole is placed within 1000 feet of the OHWM of a navigable lake, or within 300 feet from a river or stream as defined in Wis. Admin. Code § NR 115.03(8). (Permit, p. 20, paragraph D)

From the record made at hearing, it appears likely that this condition applies primarily to the single pole identified by Ms. Tierney. However, the Department and the applicants shall make every effort to identify any other areas subject to this new requirement.

There was one issue raised by Ms. Ceyler, Mr. Liebaert and Mr. Laajala that did give some pause for reflection. This relates to the very poor job that a subcontractor, Twin Ports Testing, did in finding and filling bore holes made in and near wetlands in Douglas County. An enforcement proceeding was issued against the company on July 1, 2002. (Ex. 334) To prevent any further incidents of this kind, the Department and the environmental enforcement monitors shall be provided with detailed drawings that indicate the location of all soil borings undertaken in contested wetland areas, and some photographic proof demonstrating that bore holes have been properly filled. This does not mean that a photo must be taken of every single bore hole, but some photographic evidence should be provided from each location to prevent detrimental impacts to water quality in contested wetland areas. Further, the environmental monitors and the Department need to know where these holes are to know that they have been properly filled.

CONCLUSIONS OF LAW

1. The Division of Hearings and Appeals has authority pursuant to Wis. Stat. § 227.43(1)(b) and in accordance with the foregoing Findings of Fact, to hear contested cases and issue necessary permits, certifications and orders related to the project described above subject to the conditions set forth below.

2. The Department and the co-applicants have completed all procedural requirements and the project as permited will comply with all applicable requirements of Wis. Stat. §§ 1.11, 30.123, 182.017, and Wis. Admin. Code chs. NR 102, 103, 115, 116, 117, 150, 299 and 320.

3. The Department and the Division have considered all of the factors listed under NR 103.08(3), in connection with review of the WQC. The project proponents have demonstrated that the proposed project meets the standards found in NR 103 and NR 299 and issuance of Water Quality Certification is appropriate.

4. The petitioners have not carried their burden of proof relating to the permit for the TCSBs under § 30.123. The proposed permit as issued by the DNR is supported by a preponderance of the credible evidence.

BRIDGE PERMIT AND WATER QUALITY CERTIFICATION

IP-2004-N8101 through IP-2004-N8109
GP/IP-2004-N8222 THROUGH GP/IP-2004-N8326 AND GP-2004-N8355

WHEREFORE, American Transmission Company and Wisconsin Public Service Corporation are hereby granted under Wis. Stat. §§ 182.017, 30.123, 281.15, 281.36, and Wis. Admin. Code chs. NR 102, 103, 115, 116, 117, 150, 299, 216, 320, a permit to place temporary clear span bridges and related structures in or adjacent to navigable waterways listed in Table 1 and a wetland water quality certification to discharge fill in wetlands listed in Table 1, for the purpose of constructing a 208 mile-long, 345 kilovolt electrical transmission line from Oliver to Weston, Wisconsin.

PERMIT CONDITIONS

General Conditions

1. This permit is predicated on a worst-case analysis of impacts and thus the most protective measures practicable for each waterway and wetland crossing are prescribed. Changes to the prescribed crossing techniques may occur only if approved by the Department in writing as described in conditions below.

2. Construction work may not commence on any spread until the Department has been granted access and the Department and the Public Service Commission of Wisconsin have reviewed and approved, in writing, the detailed plans outlined in the Construction & Mitigation Plan, Part B (CMP-B) for that spread. The Department can modify permit conditions as needed based on the Department and Public Service Commission of Wisconsin review and approval of the CMP-B.

3. The Department will issue a decision to approve or require changes within 60 days of receipt of the Draft CMP-B. Upon receipt of a Draft CMP-B for any spread, the Department will meet with the co-applicants and the PSCW within 30 days to provide comments and work with the co-applicants to resolve any issues.

4. In order to facilitate public input, you shall provide copies of the draft CMP-B for each spread on the project web-site and at local libraries. You shall provide written notice to landowners along the spread on or before the hard copy documents are submitted to the Department. The final approved CMP-B for each spread shall also be posted on the web-site

5. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.

6. You must notify the Department's Point of Contact, David Siebert, at phone (608) 264-6048, before starting construction and again not more than 5 days after the project is complete.

7. You must complete construction of the project, including site stabilization, as described in this permit, on or before **December 31, 2009**. If you will not complete the project by this date, you must submit a written request for an extension prior to the expiration date of the permit. Your request must identify the requested extension date and the reason for the extension. A permit extension may be granted, for good cause, by the Department. You may not begin or continue construction after the original permit expiration date unless the Department grants a new permit or permit extension in writing.

8. The applicant and/or its contractor shall provide financial assurance mechanism(s) in a form satisfactory to the Department and in an amount sufficient to assure performance of construction and restoration requirements of this permit.

9. You are not authorized to do any work other than what is specifically described in your application and supplemental materials submitted during the application review, and as modified by the conditions of this permit and reflected in Table 3. Final Department approved plans and accompanying documents, as well as plans developed and approved pursuant to conditions of this permit, are a part of, and are conditions of, this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department. Permit conditions are based on information included in all of the following:

    A. Waterway and Wetland Permit Application (Volumes 1 through 7), dated October 2004
    B. Table 1
    C. Table 2
    D. Tables 3, 3a and 3b

10. You must follow field protocols for activities in proximity to known landfills and any solid waste encountered shall be disposed of in accordance with NR 500, solid waste regulations.

11. To avoid disruption to fish species and their habitat, the Department reserves the right to limit construction timeframes or methods during the period between September 15th and June 1st.

12. You are responsible for obtaining any federal, state or local permits or approvals that may be required before starting your project.

13. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee or state-authorized monitor who is investigating the project's construction, operation, maintenance or permit compliance.

14. The Department may modify or revoke this permit if the project is not completed according to the terms of the permit, or if the Department determines the activity is detrimental to the public interest.

15. You must post a copy of this permit at a conspicuous location on the project web site for at least five days prior to construction, and remaining at least five days after construction. You must also keep a copy of the permit and approved plan available at all times until the project is complete at all field offices and construction sites. All employees, consultants and contractors who are working on the project must be made aware of the permit and its conditions and all appropriate managers and supervisors in charge of or working on construction or compliance must be provided with copies of the permit.

16. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes or this permit.

17. All photographs submitted to the Department must be clearly labeled with the site location and date. The photographs must be clear, and accurately represent the site conditions at the time that the photograph was taken.

18. Photo Requirements.

    A. You must submit photographs of existing site conditions before the placement of TCSB's.
    B. No more than 30 days after installation, you must submit to the Department (through the state-authorized monitor), photographs of all temporary bridges and all poles in wetlands in .jpg format on a CD.
    C. You must send by electronic mail photographs of each TCSB site within 3 days of removal.
    D. You must submit some photographic proof that soil bore holes in each contested wetland area have been filled.

19. Nothing in the CMP-B, or the financial assurance mechanism(s) as specified in conditions above, substitutes for or restricts the Department's statutory authority to enforce its permits or Wisconsin laws and environmental regulations, including its authority to require the cessation of unlawful activities causing environmental harm.

20. The CMP-B for each spread shall include, at a minimum:

    A. final access plan, detailing measures to avoid or minimize waterway or wetland impacts. This must include documentation of contact efforts with landowners seeking access across private lands to minimize wetland impacts and/or to eliminate the need for TCSBs.

    B. final cross-section drawings and site photographs for each temporary clear span bridge and related structures

    C. final construction method proposal, including appropriate descriptors from Tables 3, 3a, and 3b and "Construction Specials" as outlined in the application

D. a visual mitigation plan that applies to all poles in wetlands and all "shorelands" as defined in NR 115.03 (8).

E. endangered resources plan that is consistent with the Avoidance and Minimization Measures for Rare Species provided in the letter dated 12-21-04 from the Department's Office of Energy.

F. invasive species management plan

G. final wetland restoration plan that addresses surface area and species diversity of wetlands disturbed by construction within the spread

H. wooded wetland management plan, including specifics on debris management, and minimizing impacts to black spruce, tamarack and hemlock

I. final sequencing and scheduling plan

J. a site drawing detailing soil boring locations in all contested wetland areas

K. post-construction monitoring plan

21. Site specific waterway and wetland restoration and management plans that are approved by the Department must be implemented by the permittee for all wetlands and waterways that will be directly impacted by this project.

22. Wetland boundaries in areas prescribed in Table 3 to use CT-4 and CT-4W techniques will be staked in the field by the contractor's environmental inspector and approved by the Department or state authorized monitor.

23. No wetlands may be disturbed other than where specifically authorized on the final access plan or on-site changes pursuant to this permit.

24. Areas prescribed in Table 3 to be constructed in accordance with the modifiers CT-5 or CT-4W-5i is subject to written Department approval.

<u>General Erosion Control</u> – in addition to conditions above

25. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters and as specified in plans and procedures that are part of or approved pursuant to this permit. All erosion control measures must meet or exceed the standards in the Wisconsin Construction Site Best Management Practices Handbook, or any Department approved technical standards.

26. You must maintain a log of the erosion control inspections, repairs made, and rain events. This must be made available to Department personnel upon request.

27. Unless otherwise specified in this permit or approved pursuant to this permit, erosion control measures must be inspected, and any necessary repairs or maintenance performed, after every rainfall exceeding 1/2 inch and at least once per week.

28. The removal of vegetative cover and exposure of bare ground must be restricted to the minimum amount necessary for construction. Areas where soil is exposed must be protected from erosion by seeding and mulching, sodding, diversion of surface runoff, installation of certified weed free mulch and straw bales or silt screens, construction of settling basins, or similar methods as soon as possible after removal of the original ground cover as described in the Application, the Wisconsin Construction Site Handbook (BMP's) or any Department approved technical standards, or site-specific erosion control plan approved by the Department.

29. This permit has been issued with the understanding that any construction equipment used is the right size to do the job, and can be brought to and removed from the project's site without unreasonable harm to vegetative cover or fish or wildlife habitat.

30. You may not remove vegetative cover earlier than authorized under the applicable CMP-B or on-site changes approved by the Department or the state-authorized monitor pursuant to this permit.

31. You must not deposit or store any of the dredged or graded materials in any wetland, below the ordinary high water mark, or in the floodway of any waterway unless specifically authorized by this permit or plans or on-site changes approved pursuant to this permit.

32. You must not operate any construction equipment on the bed (below the ordinary high water mark) of any waterway.

<u>Dewatering Activities</u> – in addition to conditions above

33. Dewatering of groundwater encountered for the purposes of drying out work areas, discharge of water prior to pole or foundation installation, or pit trench dewatering, shall be conducted in accordance with the standards of the applicable general permit under Wisconsin's Pollutant Discharge Elimination System, measures in Wisconsin's Construction Site Best Management Practices handbook, or any Department approved technical standards, unless specified by plans or procedure that are part of this permit or approved in site-specific plans or on-site changes pursuant to this permit.

34. At no time shall dewatering activities directly discharge to wetlands or waterways without prior effective water quality treatment.

Temporary Clear Span Bridge Conditions – in addition to conditions above

35. This permit authorizes the placement of temporary clear span bridges (TCSB) and is not an approval for channel relocation, placement of fill, or any other alteration of the waterway requiring a permit from the Department.

36. You must inspect the bridge openings periodically for debris, and following any rainfall exceeding ½ inch, and must remove any restriction of flow. Any debris must be deposited in an upland site and out of any floodplain.

37. You must securely anchor each bridge with cables or some other Department-approved method to prevent it from being transported downstream during flood conditions as specified in plans that are a part of this permit.

38. No approach fill shall be placed in any wetland, floodway or below the ordinary high water mark of any navigable waterway. You must use wooden or metal approach ramps, rather than fill. If an approach must be located in a wetland or floodway, it shall be open ramp style construction only.

39. TCSB's must be removed consistent with the sequencing and scheduling plan, as specified in condition 20I. above, and no later than 7 days after the necessary waterway crossing activities have been completed.

40. You assume all responsibility and liability for a direct or indirect damage caused or resulting from the presence of the bridge and hold the State of Wisconsin, and its employees, harmless.

41. TCSB's across navigable waterways shall maintain a clearance of not less than 5 feet. See s. NR320.04, Wis. Adm. Code, for other options.

42. Unless approved in writing by the Department's fish manager, construction or placement of a TCSB is prohibited between September 15 and May 1 of any calendar year on all trout streams and between March 15 and June 1 of any calendar year for all waterways that are not trout streams.

43. For all TCSB's authorized by a GP, the bridge may only span a portion of a navigable waterway that is less than 35 feet wide, measured from ordinary high water mark to ordinary high water mark.

44. The bridge shall completely span the waterway from top of channel to top of channel with no support pilings in the waterway.

45. The bridge may not be located on a wild river designated under ch. NR 302, or where similar federal, state or local regulations prohibit the construction.

46. All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.

47. Any area where topsoil is exposed during construction shall be immediately seeded and mulched or riprapped to stabilize disturbed areas and prevent soil from being eroded and washed into the waterway.

48. When the project is completed and the disturbed areas are adequately stabilized, silt fencing or similar erosion control measures shall be removed so that the erosion control measures are not a barrier to the movement of wildlife.

49. Construction or placement of the TCSB shall minimize the removal of trees, shrubs and other shoreline vegetation above the ordinary high water mark.

50. The bridge shall be of a natural earth tone color so that it minimizes the impact on natural scenic beauty.

Waterway and Wetland Activity Conditions – in addition to conditions above

51. All wetlands must be restored to pre-construction topographic elevations and flow regimes, with no mounding, unless specifically authorized by site-specific plans or on-site changes pursuant to this permit for the purposes of restoring pre-construction wetland functions.

52. Equipment passage in wetlands shall be limited and equipment or construction mats used.

53. Only low ground weight equipment (according to manufacturer specifications) may be operated off of equipment mats in wetlands unless construction is taking place during frozen conditions.

54. Bulldozers may only be used for clearing or blading on a limited basis where approved as part of the CMP-B or state-authorized monitor, and standards for erosion control are met.

55. All construction waste materials shall be removed from wetlands in a timely manner.

56. Transmission line easements must not include any language that precludes waterway and wetland restoration and management activities required by this permit.

57. Any additives proposed for use in concrete foundations must be from a Department-approved list or receive written Department approval.

58. David Siebert shall be the contact person and recipient of all documents requiring further Department approval pursuant to above conditions. Mr. Siebert can be reached at (608)264-6048 and 101 S. Webster Street, P.O. Box 7921, Madison, WI 53707-7921.

TABLE 1 (ATTACHED)
TABLE 2 (ATTACHED)
TABLE 3 (ATTACHED)

Dated at Madison, Wisconsin on July 25, 2005.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
5005 University Avenue, Suite 201
Madison, Wisconsin 53705-5400
Telephone: (608) 266-7709
FAX: (608) 264-9885

By:_____
Jeffrey D. Boldt
Administrative Law Judge

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NOTICE

Set out below is a list of alternative methods available to persons who may desire to obtain review of the attached decision of the Administrative Law Judge. This notice is provided to insure compliance with Wis. Stat. § 227.48 and sets out the rights of any party to this proceeding to petition for rehearing and administrative or judicial review of an adverse decision.

1. Any party to this proceeding adversely affected by the decision attached hereto has the right within twenty (20) days after entry of the decision, to petition the secretary of the Department of Natural Resources for review of the decision as provided by Wisconsin Administrative Code NR 2.20. A petition for review under this section is not a prerequisite for judicial review under Wis. Stat. §§ 227.52 and 227.53.

2. Any person aggrieved by the attached order may within twenty (20) days after service of such order or decision file with the Department of Natural Resources a written petition for rehearing pursuant to Wis. Stat. § 227.49. Rehearing may only be granted for those reasons set out in Wis. Stat. § 227.49(3). A petition under this section is not a prerequisite for judicial review under Wis. Stat. §§ 227.52 and 227.53.

3. Any person aggrieved by the attached decision which adversely affects the substantial interests of such person by action or inaction, affirmative or negative in form is entitled to judicial review by filing a petition therefore in accordance with the provisions of Wis. Stat. §§ 227.52 and 227.53. Said petition must be filed within thirty (30) days after service of the agency decision sought to be reviewed. If a rehearing is requested as noted in paragraph (2) above, any party seeking judicial review shall serve and file a petition for review within thirty (30) days after service of the order disposing of the rehearing application or within thirty (30) days after final disposition by operation of law. Since the decision of the Administrative Law Judge in the attached order is by law a decision of the Department of Natural Resources, any petition for judicial review shall name the Department of Natural Resources as the respondent. Persons desiring to file for judicial review are advised to closely examine all provisions of Wis. Stat. §§ 227.52 and 227.53, to insure strict compliance with all its requirements.

TABLE 1- List of Waterways and Wetlands

Docket Number	Waterway/Wetland	Waterway & Wetland Identifier*	# of structures in wetlands**	Bridge	County	Municipality- Town, Village, City	QQ	Q	Section	T, R`` (E/W)
AL SPREAD										
GP-NO-2004-16-N8222	Unnamed Stream	UN2b	x	1	Douglas	V. of Oliver	SW	NE	7	T48N, R14W
WQC # = IP-NO-2004-16-N8101	Pokegema Swamp	UN2a	14		Douglas	T. of Superior			16	T48N, R14W
WQC # = IP-NO-2004-16-N8101	Nemadji River	W7	3		Douglas	T. of Superior			14	T48N, R14W
GP-NO-2004-16-N8223	Bear Creek 1 (Peyton Marsh)	W13b	9	1	Douglas	T. of Parkland	NE	SW	17	T48N, R13W
Total (Structures and Bridges)			*26*	*2*						
LH SPREAD					Douglas					
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W4b	1		Douglas	T. of Parkland			16	T48N, R13W
WQC # = IP-NO-2004-16-N8101	Bluff Creek, T1	W6a	1		Douglas	T. of Parkland			28	T48N, R13W
WQC # = IP-NO-2004-16-N8101	Trib to Little Amnicon River B1	W10b	1		Douglas	T. of Parkland			10	T47N, R13W
IP-NO-2004-16-N8224 & N8225	Little Amnicon River and B2	W10c	1	2	Douglas	T. of Parkland	SW	SE	10	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W15a	2		Douglas	T. of Oakland			24	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W15b	1		Douglas	T. of Oakland			24	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W15c	1		Douglas	T. of Oakland			25	T47N, R13W
IP-NO-2004-16-N8226	Silver Cr., B1	W15d	x	1	Douglas	T. of Oakland	NW	NW	25	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Silver Cr., B2	W15e	1		Douglas	T. of Oakland			25	T47N, R13W
IP-NO-2004-16-N8227	Silver Cr. B3		x	1	Douglas	T. of Oakland	NE	SW	25	T47N, R13W
IP-NO-2004-16-N8228	Silver Cr., B4	W15f	x	1	Douglas	T. of Oakland	SW	SW	25	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W16	3		Douglas	T. of Oakland			36	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W17	1		Douglas	T. of Oakland			36	T47N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W20	1		Douglas	T. of Oakland			1	T46N, R13W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W31a	5		Douglas	T. of Bennett			19	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W31b	1		Douglas	T. of Bennett			19	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W32a	1		Douglas	T. of Bennett			19	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W33c	1		Douglas	T. of Bennett			32, 33	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W33d	1		Douglas	T. of Bennett			32	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W33e	1		Douglas	T. of Bennett			32	T46N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W37c	3		Douglas	T. of Solon Springs			4	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W38b	2		Douglas	T. of Solon Springs			9	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W38d	1		Douglas	T. of Solon Springs			9	T45N, R12W
Total (Structures and Bridges)			*30*	*5*						
SPREAD HM										
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W3b	2		Douglas	T. of Solon Springs			15	T45N, R12W
IP-NO-2004-16-N8229	Park Creek, B	W4c	x	1	Douglas	T. of Solon Springs	SW	NW	22	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed Creek, wetland	W5b, UN3b	1		Douglas	T. of Solon Springs			27	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed Creek	W6b	1		Douglas	T. of Solon Springs			27	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed Creek	W7	3		Douglas	T. of Solon Springs			34	T45N, R12W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W13	5		Douglas	T. of Gordon			25, 36	T44N, R12W
WQC # = IP-NO-2004-16-N8101	St. Croix Creek	W14	2		Douglas	T. of Gordon			31	T44N, R11W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W21b	2		Douglas	T. of Wascott			20, 21	T43N, R11W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W22a	4		Douglas	T. of Wascott			28, 33	T43N, R11W
WQC # = IP-NO-2004-16-N8101	Unnamed wetland	W22b	1		Douglas	T. of Wascott			33	T43N, R11W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W24	1		Washburn	T. of Frog Creek			3	T42N, R11W
Total (Structures and Bridges)			*22*	*1*						
MS SPREAD										
WQC # = IP-NO-2004-16-N8102	Chittamo Bog	W5a	1		Washburn	T. of Frog Creek			23	T42N, R11W
GP-NO-2004-66-N8230	Chittamo Bog, Sink Creek	W5c	8	1	Washburn	T. of Frog Creek	NW	NW	25	T42N, R11W
WQC # = IP-NO-2004-16-N8102	Chittamo Bog	W5d	1		Washburn	T. of Frog Creek			36	T42N, R11W
WQC # = IP-NO-2004-16-N8102	Chittamo Bog	W5e	2		Washburn	T. of Frog Creek			36	T42N, R11W
IP-NO-2004-66-N8231	Chittamo Bog/Chippanazie Cr. B2	W6	16	1	Washburn	T. of Stinnett	NW	NE	17	T41N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W8a	1		Washburn	T.of Stinnett			21	T41N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W8b	1		Washburn	T.of Stinnett			21	T41N, R10W
WQC # = IP-NO-2004-16-N8102	Stanberry Lake	W10a	1		Washburn	V. of Stanberry			28	T41N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W10b	1		Washburn	V. of Stanberry			28	T41N, R10W
GP-NO-2004-66-N8232	Unnamed wetland, stream	W10c, UN15	1	1	Washburn	T. of Stinnett	SW	NW	34	T41N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W11	1		Washburn	T. of Bass Lake			10	T40N, R10W
GP-NO-2004-66-N8233	Unnamed stream	W12a, UN3c	x	1	Washburn	T. of Bass Lake	SE	NE	10	T40N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W12b	1		Washburn	T. of Bass Lake			11	T40N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W13a	3		Washburn	T. of Bass Lake			14	T40N, R10W
WQC # = IP-NO-2004-16-N8102	Bean Brook	W13b	1		Washburn	T. of Bass Lake			14	T40N, R10W
WQC # = IP-NO-2004-16-N8102	Unnamed wetland	W13c	1		Washburn	T. of Bass Lake			14	T40N, R10W
GP-NO-2004-66-N8234	Bean Brook	W14	3	1	Washburn	T. of Bass Lake	NE	NE	11	T40N, R10W
Total (Structures and Bridges)			*43*	*5*						
SPREAD SB										
GP-NO-2004-58-N8235	Unnamed stream	W6, UN3d	x	1	Sawyer	T.of Sand Lake	SE	NW	22	T39N, R9W
WQC # = IP-NO-2004-58-N8103	Unamed wetland	W8	1		Sawyer	T.of Sand Lake			22	T39N, R9W
WQC # = IP-NO-2004-58-N8103	Unnamed wetland	W10a	1		Sawyer	T.of Sand Lake			26	T39N, R9W
WQC # = IP-NO-2004-58-N8103	Hauer Springs wetlands	W10b	3		Sawyer	T.of Sand Lake			35	T39N, R9W
IP-NO-2004-58-N8236	Hauer Creek, B1	W11	x	1	Sawyer	T.of Sand Lake	NE	NE	2	T38N, R9W
WQC # = IP-NO-2004-58-N8103	Unnamed wetland	W13d	1		Sawyer	T.of Sand Lake			14	T38N, R9W
IP-NO-2004-58-N8237	Alder Creek, 2	W15	1	1	Sawyer	T. of Couderay	NE	SW	20	T38N, R8W
GP-NO-2004-58-N8238	Swift Creek, B1	W16c	x	1	Sawyer	T. of Couderay	SW	NE	29	T38N, R8W
GP-NO-2004-58-N8239	Swift Creek, B2	W16d	x	1	Sawyer	T. of Couderay	NW	NW	33	T38N, R8W

TABLE 1- List of Waterways and Wetlands

Docket Number	Waterway/Wetland	Waterway & Wetland Identifier*	# of structures in wetlands**	Bridge	County	Muni- Town, Village, City	QQ	Q	Section	T, R`` (E/W)
WQC # = IP-NO-2004-58-N8103	Unnamed wetland	W17b	1		Sawyer	T. of Couderay			33	T38N, R8W
IP-NO-2004-58-N8240	Maple Creek, 1	W21	x	1	Sawyer	T. of Meteor	SW	NE	10	T37N, R8W
GP-NO-2004-58-N8241	Unnamed stream	W24, UN4	x	1	Sawyer	T. of Meteor	SW	NW	14	T37N, R8W
GP-NO-2004-58-N8242	Unnamed stream	UN5	x	1	Sawyer	T. of Meteor	NW	SE	14	T37N, R8W
GP-NO-2004-58-N8243	Unnamed stream	W26, UN6	x	1	Sawyer	T. of Meteor	SE	NE	23	T37N, R8W
GP-NO-2004-58-N8244	Unnamed stream	UN7	x	1	Sawyer	T. of Meteor	SE	SW	24	T37N, R8W
GP-NO-2004-58-N8245	Unnamed stream	UN7a	x	1	Sawyer	T. of Meteor	NW	NE	25	T37N, R8W
GP-NO-2004-58-N8246	Unnamed stream	UN8	x	1	Sawyer	T. of Weirgor	SW	SW	30	T37N, R7W
WQC # = IP-NO-2004-58-N8103	Unnamed wetland	W31a	1		Sawyer	T. of Weirgor			31	T37N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W32a	2		Rusk	T. of Murray			8	T36N, R7W
WQC # = IP-NO-2004-55-N8104	Chippewa River	W36b	1		Rusk	T. of Hubbard			22	T36N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W36c	2		Rusk	T. of Hubbard			22	T36N, R7W
Total (Structures and Bridges)			*14*	*12*						
SPREAD BC										
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W1	2		Rusk	T. of Hubbard			35	T36N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W2b	2		Rusk	T. of Thornapple			2	T35N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W3	7		Rusk	T. of Thornapple			1, 12	T35N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W5	1		Rusk	T. of Thornapple			13	T35N, R7W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W6	1		Rusk	T. of Thornapple			13	T35N, R7W
WQC # = IP-NO-2004-55-N8104	Thornapple River	W9a	1		Rusk	T. of Flambeau			19	T35N, R6W
GP-NO-2004-55-N8247	Unnamed stream	W9b, UN9a	x	1	Rusk	T. of Flambeau	NW	SW	19	T35N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W13b	1		Rusk	T. of Flambeau			30	T35N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W13c	1		Rusk	T. of Flambeau			31	T35N, R6W
GP-NO-2004-55-N8248	Unnamed wetland, stream	W17, UN10a	3	1	Rusk	T. of Grant	SE	SW	5	T34N, R6W
GP-NO-2004-55-N8249	Unnamed stream	W18, UN11a	x	1	Rusk	T. of Grant	SW	NE	8	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W27c	1		Rusk	T. of Grant			22	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Deer Tail Creek	W28	1		Rusk	T. of Grant			27	T34N, R6W
GP-NO-2004-55-N8250	Unnamed wetland, stream	W30, UNi1	2	1	Rusk	T. of Grant	NW	SE	26	T34N, R6W
GP-NO-2004-55-N8251	Unnamed stream	W31a, UNi2b	x	1	Rusk	T. of Grant	SE	SE	26	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W31b	3		Rusk	T. of Grant			36	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W32	2		Rusk	T. of Grant			36	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W33a	1		Rusk	T. of Grant			36	T34N, R6W
WQC # = IP-NO-2004-55-N8104	Main Cr., T1	W35a	1		Rusk	T. of Marshall			6	T33N, R5W
GP-NO-2004-55-N8252	Unnamed stream	W37, UNi3e	x	1	Rusk	T. of Marshall	SE	NE	7	T33N, R5W
GP-NO-2004-55-N8253	Unnamed wetland, stream	W38, UNi4a	1	1	Rusk	T. of Marshall	SE	SW	8	T33N, R5W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland, stream	W40a, Uni5a	2		Rusk	T. of Marshall			16	T33N, R5W
WQC # = IP-NO-2004-55-N8104	Unnamed wetland	W40c	1		Rusk	T. of Marshall			21	T33N, R5W
WQC # = IP-NO-2004-55-N8105	Unnamed wetland	W48a	1		Chippewa	T. of Ruby			2	T32N, R5W
Total (Structures and Bridges)			*35*	7						
SPREAD CL										
WQC # = IP-NO-2004-55-N8105	Unnamed wetland	W1	1		Chippewa	T. of Ruby			2	T32N, R5W
WQC # = IP-NO-2004-55-N8105	Unnamed wetland	W4	1		Chippewa	T. of Ruby			12	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Fisher River, 1	W6a	1		Taylor	T. of Pershing			18	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W6b	1		Taylor	T. of Pershing			18	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W8b	1		Taylor	T. of Pershing			20	T32N, R5W
GP-NO-2004-61-N8355	Fisher River, T3	W13a	2	1	Taylor	T. of Pershing			29	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland, stream	W13b, UN11b	2		Taylor	T. of Pershing			28, 29	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W14b	4		Taylor	T. of Pershing			33	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W14c	2		Taylor	T. of Pershing			33	T32N, R5W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W17a	2		Taylor	T. of Aurora			3	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W17b	2		Taylor	T. of Aurora			10	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W17c	2		Taylor	T. of Aurora			11	T31N, R4W
GP-NO-2004-61-N8254	Unnamed ditch	W19b	2	1	Taylor	T. of Aurora	NE	NW	14	T31N, R4W
GP-NO-2004-61-N8255	Unnamed wetland, stream	W19c, UNi6a	3	1	Taylor	T. of Aurora	SE	SW	14	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W21	1		Taylor	T. of Ford			23	T31N, R4W
GP-NO-2004-61-N8256	Yellow River, T2	W23a	x	1	Taylor	T. of Ford	NE	SE	26	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W23c	1		Taylor	T. of Ford			26	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W23e	1		Taylor	T. of Ford			25	T31N, R4W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W23f	1		Taylor	T. of Ford			36	T31N, R4W
GP-NO-2004-61-N8257	Hay Cr., T1a	W24	1	1	Taylor	T. of Ford	NE	NE	36	T31N, R4W
GP-NO-2004-61-N8258	Hay Cr., T2a	W26a	1	1	Taylor	T. of Aurora	NW	NW	31	T31N, R3W
GP-NO-2004-61-N8259	Hay Cr., T3a	W27a	x	1	Taylor	T. of Aurora	SE	NW	31	T31N, R3W
GP-NO-2004-61-N8260	Hay Cr., 2	W27d	2	1	Taylor	T. of Aurora	NE	SE	31	T31N, R3W
GP-NO-2004-61-N8261 & N8262	Unnamed wetland, streams	W27e, UNi7b &	2	2	Taylor	T. of Aurora	SE	SE	31	T31N, R3W
GP-NO-2004-61-N8263 & N8264	Unnamed wetland, streams	W27f, UNi9 & 10	2	2	Taylor	T. of Roosevelt	NW	NW	5	T30N, R3W
GP-NO-2004-61-N8265	Unnamed wetland, stream	W28b, UNi11	1	1	Taylor	T. of Roosevelt	NW	NE	8	T30N, R3W
GP-NO-2004-61-N8266	Unnamed stream	W29b, UNi12a	x	1	Taylor	T. of Roosevelt	NE	SE	8	T30N, R3W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W30	1		Taylor	T. of Roosevelt			8	T30N, R3W
GP-NO-2004-61-N8267	Unnamed stream	W31, UNi13a	x	1	Taylor	T. of Roosevelt	SW	SW	9	T30N, R3W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W32b	1		Taylor	T. of Roosevelt			16	T30N, R3W
WQC # = IP-NO-2004-61-N8106	Unnamed wetland	W35	1		Taylor	T. of Roosevelt			22	T30N, R3W
GP-NO-2004-61-N8268	Unnamed stream	W37, UNi14a	x	1	Taylor	T. of Roosevelt	SW	NE	26	T30N, R3W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W44b	1		Clark	T. of Hixon			6	T29N, R2W
GP-NO-2004-10-N8269	Unnamed stream	W45, UNi15	x	1	Clark	T. of Hixon	NW	SE	6	T29N, R2W

TABLE 1- List of Waterways and Wetlands

Docket Number	Waterway/Wetland	Waterway & Wetland Identifier*	# of structures in wetlands**	Bridge	County	Muni- Town, Village, City	QQ	Q	Section	T, R`` (E/W)
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W48b	1		Clark	T. of Hixon			18	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W48c	1		Clark	T. of Hixon			18	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W49	2		Clark	T. of Hixon			19	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Black River, T1a	W50a	1		Clark	T. of Hixon			19	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Black River, T3a	W50c	1		Clark	T. of Hixon			30	T29N, R2W
GP-NO-2004-10-N8270 & N8271	Unnamed wetland and streams	W51, UNi16 & 17	1	2	Clark	T. of Hixon	NE SE	SW SW	31	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W52b	1		Clark	T. of Hixon			31	T29N, R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W53	1		Clark	T. of Hixon			31	T29N, R2W
GP-NO-2004-10-N8272 & N8273	Unnamed streams	W54, UNi18 & 19	x	2	Clark	T. of Hixon	NW	NE	6	T28N, R2W
Total (Structures and Bridges)			*52*	*21*						
SPREAD LW										
GP-NO-2004-10-N8274	Unnamed stream	W1, UNi20	x	1	Clark	T. of Longwood	SW	SE	7	T28N,R2W
WQC # = IP-WC-2004-10-N8107	Black River, 1 & 2	W3	1		Clark	T. of Longwood			8	T28N,R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W4	1		Clark	T. of Longwood			9	T28N,R2W
GP-NO-2004-10-N8275	Unnamed stream	W5, UNi21	x	1	Clark	T. of Longwood	SW	SE	9	T28N,R2W
GP-NO-2004-10-N8276	Unnamed stream	W7, UNi22	1	1	Clark	T. of Longwood	SE	SW	10	T28N,R2W
GP-NO-2004-10-N8277	Unnamed wetland, stream	W8, UNi23	x	1	Clark	T. of Longwood	SW	SE	10	T28N,R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W9	3		Clark	T. of Longwood			11	T28N,R2W
WQC # = IP-WC-2004-10-N8107	Popple River	W10a	2		Clark	T. of Longwood			12	T28N,R2W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W13b	1		Clark	T.of Green Grove			7	T28N, R1W
WQC # = IP-WC-2004-10-N8107	So. Fork of Popple River	W14	2		Clark	T. of Green Grove			8	T28N, R1W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W15	1		Clark	T. of Green Grove			9	T28N, R1W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W16a	3		Clark	T. of Green Grove			9	T28N, R1W
GP-NO-2004-10-N8278	Unnamed wetland, stream	W16c, UNi25	6	1	Clark	T. of Green Grove	SW	SW	10	T28N, R1W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W16d	1		Clark	T. of Green Grove			11	T28N, R1W
GP-NO-2004-10-N8279	Unnamed stream	W16e, UNi26	x	1	Clark	T. of Green Grove	SE	SW	11	T28N, R1W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland, stream	W16f, UNi27	1		Clark	T. of Green Grove			11	T28N, R1W
GP-NO-2004-10-N8280 & N8281	Unnamed wetland, stream	W16g, UNi28, UNi29	2	2	Clark	T. of Green Grove	NW	SW	12	T28N,R1W
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W19	1		Clark	T. of Colby			7	T28N, R1E
GP-NO-2004-10-N8282	Unnamed wetland, stream	W20a, UNi31	3	1	Clark	T. of Colby	SW	NE	7	T28N, R1E
GP-NO-2004-10-N8283	Unnamed wetland, stream	W20b, UNi32	1	1	Clark	T. of Colby	SW	NW	8	T28N, R1E
GP-NO-2004-10-N8284	Unnamed wetland, stream	W20c, UNi33	2	1	Clark	T. of Colby	SW	NW	8	T28N, R1E
GP-NO-2004-10-N8285	Unnamed wetland, stream	W20d, UNi34	1	1	Clark	T. of Colby	NW	NE	8	T28N, R1E
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W21	1		Clark	T. of Colby			4	T28N, R1E
WQC # = IP-WC-2004-10-N8107	Dill Creek	W24	1		Clark	T. of Colby			3	T28N, R1E
GP-NO-2004-10-N8286	Dill Creek, T1	W25	2	1	Clark	T. of Colby	SE	SW	2	T28N, R1E
GP-NO-2004-10-N8287	Unnamed wetland, stream	W26a, UNi35	1	1	Clark	T. of Colby	SE	SW	1	T28N, R1E
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W26b	1		Clark	T. of Colby			1	T28N, R1E
WQC # = IP-WC-2004-10-N8107	Unnamed wetland	W26c	2		Clark	T. of Colby			2	T28N, R1E
GP-NO-2004-37-N8288	Unnamed wetland, stream	W27, UNi36	3	1	Marathon	C. of Abbotsford	SW	SE	6	T28N, R1E
GP-NO-2004-37-N8289	Unnamed stream	W28, UNi37	x	1	Marathon	T. of Hull	SE	SW	5	T28N, R1E
GP-NO-2004-37-N8290	Porky Cr., Big Eau Pleine R.	W29b	3	1	Marathon	T. of Hull	NW	SW	3	T28N, R1E
GP-NO-2004-37-N8291	Unnamed stream	W30, UNi39	x	1	Marathon	T. of Hull	NW	SE	3	T28N, R1E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland, stream	W32, UNi40	1		Marathon	T. of Hull			12	T28N, R1E
GP-NO-2004-37-N8292	Unnamed stream	W34, UNi41	x	1	Marathon	T. of Frankfort	NW	SW	6	T28N, R3E
GP-NO-2004-37-N8293	Unnamed stream	W35, UNi42	x	1	Marathon	T. of Frankfort	NW	SE	6	T28N, R3E
GP-NO-2004-37-N8294	Unnamed stream	W36a, UNi43	x	1	Marathon	T. of Frankfort	NE	SE	6	T28N, R3E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland, stream	W37, UNi44	1		Marathon	T. of Frankfort			5	T28N, R3E
WQC # = IP-WC-2004-37-N8108	Randall Creek	W38	1		Marathon	T. of Frankfort			5	T28N, R3E
GP-NO-2004-37-N8295	Unnamed stream	W40a, UNi45	x	1	Marathon	T. of Frankfort	SW	SE	4	T28N, R3E
GP-NO-2004-37-N8296	Hamann Creek	W41, UNi46, 47	1	1	Marathon	T. of Frankfort	SW	SW	2	T28N, R3E
GP-NO-2004-37-N8297	Fenwood Creek, T1	W44	x	1	Marathon	T. of Wien	SW	SW	5	T28N, R4E
GP-NO-2004-37-N8298	Fenwood Creek	W45a	x	1	Marathon	T. of Wien	SW	SE	5	T28N, R4E
GP-NO-2004-37-N8299	Fenwood Creek, T2	W45b	1	1	Marathon	T. of Wien	NE	SE	5	T28N, R4E
Total (Structures and Bridges)			*52*	*26*						
SPREAD WW										
GP-NO-2004-37-N8300	Unnamed stream	UNi48	x	1	Marathon	T. of Wien	NE	NW	10	T28N, R4E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W1	1		Marathon	T. of Wien			10	T28N, R4E
GP-NO-2004-37-N8301	Unnamed stream	W2, UNi49	x	1	Marathon	T. of Wien	SE	NW	10	T28N, R4E
GP-NO-2004-37-N8302 & N8303	Unnamed wetland, stream	W3a, UNi50 & 51	2	2	Marathon	T. of Wien	SW	SE	10	T28N, R4E
GP-NO-2004-37-N8304	Unnamed wetland, stream	W3b, UNi52	1	1	Marathon	T. of Wien	NE	NE	15	T28N, R4E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W3c	1		Marathon	T. of Wien			15	T28N, R4E
GP-NO-2004-37-N8305	Unnamed wetland, stream	W3d, UNi53	2	1	Marathon	T. of Wien	NW	SW	14	T28N, R4E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W3e	1		Marathon	T. of Wien			14	T28N, R4E
GP-NO-2004-37-N8306	Unnamed wetland, stream	W4, UNi54	1	1	Marathon	T. of Wien	SE	NE	23	T28N, R4E
GP-NO-2004-37-N8307	Unnamed stream	W6a, UNi55	x	1	Marathon	T. of Cassel	NW	NW	30	T28N, R5E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W7b	1		Marathon	T. of Cassel			29	T28N, R5E
GP-NO-2004-37-N8308 & N8309	Unnamed wetland, stream	W7d, UNi56 & 57	1	2	Marathon	T. of Cassel	NW	NE	29	T28N, R5E
GP-NO-2004-37-N8310	Unnamed wetland, stream	W8, UNi58	1	1	Marathon	T. of Cassel	NW	NW	28	T28N, R5E
GP-NO-2004-37-N8311	Unnamed stream	W10b, UNi60	x	1	Marathon	T. of Cassel	NE	SW	34	T28N, R5E
GP-NO-2004-37-N8312	Unnamed wetland, stream	W11a, UNi61	1	1	Marathon	T. of Emmet	NE	NW	3	T27N, R5E
GP-NO-2004-37-N8313	Unnamed wetland, stream	W12, UNi62	1	1	Marathon	T. of Emmet	SE	SW	3	T27N, R5E
GP-NO-2004-37-N8314	Unnamed wetland, stream	W13, UNi63	2	1	Marathon	T. of Emmet	NE	NW	10	T27N, R5E

TABLE 1- List of Waterways and Wetlands

Docket Number	Waterway/Wetland	Waterway & Wetland Identifier*	# of structures in wetlands**	Bridge	County	Muni- Town, Village, City	QQ	Q	Section	T, R`` (E/W)
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W15b	1		Marathon	T. of Emmet			10	T27N, R5E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W16a	1		Marathon	T. of Emmet			10	T27N, R5E
GP-NO-2004-37-N8315 & N8316	Burns Creek	W16b, UNi64	6	2	Marathon	T. of Emmet	SE	SE	11	T27N, R5E
GP-NO-2004-37-N8317	Burns Creek, T1	W16c	x	1	Marathon	T. of Emmet	SW	SW	12	T27N, R5E
IP-NO-2004-37-N8318	Freeman Creek, T1	W17b, UNi64a	x	1	Marathon	T. of Mosinee	SW	SW	7	T27N, R6E
IP-NO-2004-37-N8319 & N8320	Freeman Creek & T2	W17c	x	2	Marathon	T. of Mosinee	SE	SW		T27N, R6E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W17d	1		Marathon	T. of Mosinee			7	T27N, R6E
GP-NO-2004-37-N8321	Unnamed stream	W18, UN12	x	1	Marathon	T. of Mosinee	SW	SE	8	T27N, R6E
GP-NO-2004-37-N8322	Hog Creek	W19b	2	1	Marathon	T. of Mosinee	SW	SE	9	T27N, R6E
GP-NO-2004-37-N8323	Unnamed stream	W19d, UN13	x	1	Marathon	T. of Mosinee	SE	SE	9	T27N, R6E
GP-NO-2004-37-N8324	Roberts Creek, T1	W21a	x	1	Marathon	T. of Mosinee	SW	SW	11	T27N, R6E
GP-NO-2004-37-N8325	Roberts Creek, T2	W22a	x	1	Marathon	T. of Mosinee	SE	SE	11	T27N, R6E
GP-NO-2004-37-N8326	Unnamed wetland, stream	W23, UN14	1	1	Marathon	T. of Mosinee	NW	SE	12	T27N, R6E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W25	2		Marathon	T. of Mosinee			12	T27N, R6E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W26a	1		Marathon	T. of Mosinee			7	T27N, R6E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W26b	1		Marathon	T. of Mosinee			7	T27N, R7E
WQC # = IP-WC-2004-37-N8108	Fourmile Creek	W27b	1		Marathon	T. of Mosinee			5	T27N, R7E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland, lake	W27c & UNL3	4		Marathon	T. of Mosinee			5	T27N, R7E
WQC # = IP-WC-2004-37-N8108	Unnamed wetland	W27d	1		Marathon	T. of Mosinee			5	T27N, R7E
WQC # = IP-WC-2004-37-N8108	Black Creek	W28	5		Marathon	T. of Mosinee			33	T28N, R7E
Total (Structures and Bridges)			*43*	*27*						
Grand Total (Structures and Bridges)			***317***	***106***						

Key for Table 1, 2, and 3

* Unique identifier for waterways and wetlands used in the review process. Also referenced in Table 2 and Table 3.
- UNL= unnamed Lake
- UN= unnamed Stream
- Uni= unnamed intermittent stream
- T= tributary
- B= branch

Key for Table 1

**Refer to the number of transmission structures proposed in a wetland, each of which requires WQC
**An 'X' means there is no structure, but WQC is needed for the bridge activity.

TABLE 2- NR103.04 Wetlands Associated with Areas of Special Natural Resource Interest

Waterway/Wetland	Waterway & Wetland Identifier	# of structures in wetlands	County	Muni- Town, Village, City	Section	Twp, Range	Why ASNRI? Trout	Other[1]	T&E[2]	Comments
SPREAD AL										
Pokegema Swamp	AL-W5, UN2a	14	Douglas	T. of Superior	16	T48N, R14W			X	listed species
Nemadji River	W7	3	Douglas	T. of Superior	14	T48N, R14W	X		X	listed species
Bear Creek 1 (Peyton Marsh)	W13b	8 9	Douglas	T. of Parkland	17	T48N, R13W			X	listed species
SPREAD LH										
Wetland assoc. with L. Amicon R.	W10b	1	Douglas	T. of Parkland	10	T47N, R13W		X		assoc. w/trout water
Little Amnicon River, B1 and B2	W10c	1	Douglas	T. of Parkland	10	T47N, R13W	X	X		
Silver Cr., B2	W15e	1	Douglas	T. of Oakland	25	T47N, R13W	X			
SPREAD HM										
St. Croix Creek	W14	2	Douglas	T. of Gordon	31	T44N, R11W		X		Nat'l Scenic R'way
MS SPREAD										
Chittamo Bog/Chippanazie Cr. B2	W6	16	Washburn	T. of Stinnett	17	T41N, R10W	X			
Stanberry Lake	W10a	1	Washburn	V. of Stanberry	28	T41N, R10W			X	osprey nest
Unnamed wetland	W10c	1	Washburn	T. of Stinnett	34	T41N, R10W		X		Namekagon drainage
Unnamed wetland	W12b	1	Washburn	T. of Bass Lake	11	T40N, R10W		X		trib to NHI water
Unnamed wetland	W13a	3	Washburn	T. of Bass Lake	14	T40N, R10W			X	osprey nest
Bean Brook	W13b	1	Washburn	T. of Bass Lake	14	T40N, R10W	X		X	near osprey nest
Unnamed wetland	W13c	1	Washburn	T. of Bass Lake	14	T40N, R10W			X	near osprey nest
Unnamed wetland, stream	W14	3	Washburn	T. of Bass Lake	11	T40N, R10W			X	near osprey nest
SPREAD SB										
Unnamed wetland	W10a	1	Sawyer	T.of Sand Lake	26	T39N, R9W			X	near osprey nest
Hauer Springs wetlands	W10b	3	Sawyer	T.of Sand Lake	35	T39N, R9W		X		trib to ERW (Hauer Cr)
Unnamed wetland	W13d	1	Sawyer	T.of Sand Lake	14	T38N, R9W		X		trib to ERW (Hauer Cr)
Chippewa River	W36b	1	Rusk	T. of Hubbard	22	T36N, R7W			X	NHI water
SPREAD BC										
Unnamed wetland	W6	1	Rusk	T. of Thornapple	13	T35N, R7W		X		trib to NHI water
Thornapple River	W9a	1	Rusk	T. of Flambeau	19	T35N, R6W			X	NHI water
Main Cr., T1	W35a	1	Rusk	T. of Marshall	6	T33N, R5W			X	NHI water
SPREAD CL										
Hay Cr., T1a	W24	1	Taylor	T. of Ford	36	T31N, R4W		X		trib to NHI / LL water (Yellow R.)
Hay Cr., T2a	W26a	1	Taylor	T. of Aurora	31	T31N, R3W		X		trib to NHI / LL water (Yellow R.)
Hay Cr., 2	W27d	2	Taylor	T. of Aurora	31	T31N, R3W		X		trib to NHI / LL water (Yellow R.)
Unnamed wetland	W49	2	Clark	T. of Hixon	19	T29N, R2W			X	NHI water
Black River, T1a	W50a	1	Clark	T. of Hixon	19	T29N, R2W			X	NHI water
Black River, T3a	W50c	1	Clark	T. of Hixon	30	T29N, R2W			X	NHI water
Unnamed wetland and streams	W51	1	Clark	T. of Hixon	31	T29N, R2W		X		trib to NHI water
SPREAD LW										
Black River, 1 & 2	W3	1	Clark	T. of Longwood	8	T28N,R2W			X	NHI water
Unnamed stream	W7	1	Clark	T. of Longwood	10	T28N,R2W		X		trib to NHI water (Black R)
Unnamed wetland	W9	3	Clark	T. of Longwood	11	T28N,R2W		X		trib to NHI water (Popple R)
Popple River	W10a	2	Clark	T. of Longwood	12	T28N,R2W			X	NHI water
Unnamed wetland	W13b	1	Clark	T.of Green Grove	7	T28N, R1W		X		trib to NHI water (Popple R)
So. Fork of Popple River	W14	2	Clark	T. of Green Grove	8	T28N, R1W			X	NHI water
Unnamed wetland, stream	W16c, UNi25	6	Clark	T. of Green Grove	10	T28N, R1W		X		trib to NHI water (So. Fk.Popple R)
Unnamed wetland, stream	W16f, UNi27	1	Clark	T. of Green Grove	11	T28N, R1W		X		trib to NHI water (So. Fk.Popple R)
Unnamed wetland, stream	W16g	2	Clark	T. of Green Grove	12	T28N,R1W		X		trib to NHI water (So. Fk.Popple R)
Dill Creek	W24	1	Clark	T. of Colby	3	T28N, R1E		X		trib to NHI water (Big Eau Pleine R)
Dill Creek, T1	W25	2	Clark	T. of Colby	2	T28N, R1E		X		trib to NHI water (Big Eau Pleine R)
Unnamed wetland, stream	W27, UNi36	3	Marathon	C. of Abbotsford	6	T28N, R1E			X	NHI Water (Elm Br.)
Porky Cr., Big Eau Pleine R.	W29b	3	Marathon	T. of Hull	3	T28N, R1E			X	NHI waters
Unnamed wetland, stream	W32, UNi40	1	Marathon	T. of Hull	12	T28N, R1E		X		trib to NHI water (Marsh Cr)
SPREAD WW										
Unnamed wetland	W17d	1	Marathon	T. of Mosinee	7	T27N, R6E		X		Trib to Freeman Cr.
Hog Creek	W19b	2	Marathon	T. of Mosinee	9	T27N, R6E			X	NHI water
Unnamed wetland, stream	W23, UN14	1	Marathon	T. of Mosinee	12	T27N, R6E		X		trib to Four Mile Cr.
Fourmile Creek	W27b	1	Marathon	T. of Mosinee	5	T27N, R7E	X			
Unnamed wetland, lake	W27c & UNL3	4	Marathon	T. of Mosinee	5	T27N, R7E		X		trib to Four Mile Cr.
Black Creek	W28	5	Marathon	T. of Mosinee	33	T28N, R7E	X			
TOTAL		110 111								

[1] hydrologic connection to ASNRI water

[2] Listed species known to be present only where 'Listed Species' appears in Comments column. Otherwise, this column noted due to ASNRI designation of 'NHI Water'.

TABLE 3- Prescribed Crossing Techniques

SPREAD WW					
Wetland Identifier	**Waterway Identifier**	**Resource Description**	**Structures**	**DNR PRESCRIPTION**	**Specific Details Required in CMP Part B**
MARATHON CO					
CTH M					
Elderberry Rd.					
	UNi48	ag swale draining to Scotch Cr.trib		TCSB	
WW-W1		grazed wet meadow w/scattered conifers	WW012	CT-2/3	X
WW-W2	**Uni49**	ag swale draining to Scotch Cr.trib		CT-2/3, TCSB	X
WW-W3a	**UNi50&51**	wet meadow / mixed forest floodpl. swamp on trib. to Scotch Cr.	WW016, WW017	CT-5 overall, CT-4 above WW016, CT-2/3 for remainder, TCSB (2)	X
Huckleberry Rd.					
WW-W3b	**UNi52**	wet meadow / mixed forest floodpl. swamp on trib. to Scotch Cr.	WW019	CT-5, TCSB	X
WW-W3c		deciduous forest floodpl. swamp on trib. to Scotch Cr.	WW020	CT-5	X
WW-W3d	**UNi53**	wet meadow / mixed forest floodpl. swamp on trib. to Scotch Cr.	WW022, WW023	CT-5, TCSB	X
WW-W3e		grazed wet meadow w/scattered conifers	WW025	CT-2/3	X
CTH N					
WW-W4	**UNi54**	deciduous swamp and grazed wet meadow on trib. to Scotch Cr.	WW029	CT-2/3 to access WW029, CT-4 for remainder, TCSB	X
Aspen Dr. - 1					
Blueberry St.					
Aspen Dr. - 2					
WW-W5a		shallow marsh		CT-2/3	X
WW-W5b		grazed wet meadow		CT-4W	X
WW-W5c		grazed wet meadow		CT-4W and CT-2/3	X
CTH H					
WW-W6a	**UNi55**	deciduous swamp on trib to Scotch Cr.		CT-4, TCSB, CS-3	X
WW-W6b		Shrub swale to Scotch Cr. Trib		CT-2/3	X
WW-W7a		wet-meadow		CT-2/3	X
Bluebird La.					
WW-W7b		wet meadow/mixed swamp contiguous w/trib. to Soda Cr.	WW046	CT-2/3	X
WW-W7c		mixed swamp contiguous w/trib. to Soda Cr.		CT-4W and CT-2/3	X
WW-W7d	**UNi56&57**	wet meadow/mixed swamp contiguous w/trib. to Soda Cr.	WW049	CT-2/3, TCSB(2)	X
Cardinal La.					
WW-W8	**UNi58**	wet meadow contiguous w/trib. to Soda Cr.	WW054	CT-2/3 to access WW053, CT-4 for remainder, TCSB	X
Eagle Lane					
WW-W9	**UNi59**	wet meadow contiguous w/trib. to Soda Cr.		CT-4	
Four Mile Road					
WW-W10a		ag wet meadow		CT-2/3	X
WW-W10b	**UNi60**	grazed wet meadow contiguous w/trib. to Burns Cr.		CT-2/3, TCSB	X
CTH P					

TABLE 3- Prescribed Crossing Techniques

Wetland Identifier	Waterway Identifier	Resource Description	Structures	DNR PRESCRIPTION	Specific Details Required in CMP Part B
WW-W11a	**UNi61**	farmed wet meadow contiguous w/trib. to Burns Cr.	WW070	CT-2/3, TCSB	X
WW-W11b		Deciduous swamp		CT-2/3	X
WW-W12	**UNi62**	Deciduous swamp/wet meadow adj trib to Burns Cr.	WW075	CT-2/3, TCSB	
WW-W13	**UNi63**	Deciduous swamp adj trib to Burns Cr.	WW077, WW078	CT-4 between WW077 and 078, CT-2/3 for remainder, TCSB	X
WW-W14		isolated shallow marsh in ag field		CT-1	
Moss Road					
WW-W15a		isolated farm pond		CT-2/3	X
WW-W15b		deciduous swamp draining to trib to Freeman Cr.	WW081	CT-2/3	X
WW-W16a		wet meadow in ag setting	WW084	CT-4W	X
CTH S					
WW-W16b	**UNi64 & Burns Cr.**	ag wet meadow (west 20%); remainder deciduous swamp contig w/ Burns Cr.	WW085-WW090 (5)	CT-2/3, TCSB(2), CS-3	X
Maple Leaf Rd.					
WW-W16c	**Burns Cr. T1**	ag wet meadow along trib to Burns Cr.		CT-2/3, TCSB	X
WW-W17a		shrub swamp adj farm pond		CT-2/3	X
STH 107					
WW-W17b	**UNi64a, UNL2 & Freeman Cr. T1 *trout stream***	shrub swamp and farm pond along tribs to Freeman Cr.		CT-2/3 and TCSB for UNi64a & Freeman T1/ CT-4 for UNL2/ CS-4	X
WW-W17c	**Freeman Cr. & T2 *trout streams***	deciduous floodplain swamp along Freeman Cr. and tributary		CT-4, TCSB(2), CS-4(regarding visual mitigation)	X
WW-W17d		deciduous floodplain swamp along Freeman Cr. tributary	WW102	CT-2/3	X
WW-W18	**UN12**	deciduous floodplain swamp along Freeman Cr. tributary		CT-5, TCSB	X
WW-W19a		deciduous swamp contig w/Hog Cr.		CT-5	X
WW-W19b	**Hog Cr.**	deciduous swamp adj Hog Cr.	WW113, WW114	CT-4 between WW113 and WW114, CT-5 for remainder, CS-3, TCSB	X
WW-W19c		deciduous swamp adj Hog Cr.		CT-4W (CT-5 if wetland spans entire ROW), CS-3	X
WW-W19d	**UN13**	deciduous swamp adj Hog Cr.		CT-2/3, TCSB, CS-3	X
WW-W19e		Wet-Meadow		CT-4W	X
WW-W20		wet meadow		CT-2/3	X
CTH O					
CTH B					
WW-W21a	**Roberts Cr.T1**	Wet meadow adj trib to Roberts Cr.		CT-2/3, TCSB	X
WW-W21b		deciduous swamp draining to Roberts Cr. Trib.		CT-2/3	X
WW-W22a	**Roberts Cr.T2**	deciduous swamp draining to Roberts Cr. Trib.		CT-4, TCSB	X
Bluebird La.					
WW-W22b		deciduous swamp draining to Roberts Cr. Trib.		CT-2/3	X
WW-W23	**UN14**	deciduous swamp on trib to Four Mile Cr.	WW134	CT-2/3 to cross wetland to access pole WW134, CT-4 for remainder, CS-3, TCSB	X
WW-W24a		deciduous swamp		CT-2/3	X
WW-W24b		deciduous swamp		CT-2/3	X

TABLE 3- Prescribed Crossing Techniques

Wetland Identifier	Waterway Identifier	Resource Description	Structures	DNR PRESCRIPTION	Specific Details Required in CMP Part B
WW-W25		mixed wooded swamp	WW137, WW138	CT-5	X
WW-W26a		wet meadow/mixed forest	WW141	CT-2/3	X
CTH KK					
WW-W26b		wet meadow	WW142	CT-2/3 to access pole WW142, CT-4W for remainder	X
Lois Lane					
WW-W27a		deciduous floodplain swamp		CT-4W	
CTH KK					
WW-W27b	**Fourmile Cr.** ***trout stream***	deciduous floodplain swamp	WW145	CT-2/3 from Rifle Rd to WW145, CT-4W for remainder	X
Rifle Rd.					
WW-W27c	**UNL3**	shallow to deep marsh floodplain complex with wooded swamp perimeter	WW146-WW149 (4)	CT-4W between WW146 and WW147, CT-5 for remainder	X
WW-W27d		wet meadow	WW150	CT-2/3	X
WW-W27e		wet meadow		CT-5	X
WW-W27f		wet meadow		CT-5	X
trail					
Fawn Road					
WW-W28	**Black Cr.** ***trout stream***	deciduous floodplain swamp	WW154-WW158 (5)	CT-4 between pole WW156 and WW157, CT-5 for remainder	X
CTH KK					
WW-W29a		wooded slough adj. WI R.		CT-2/3	X
WW-W29b		wooded slough adj. WI R.		CT-2/3	X
	Wisconsin R.			CT-4	
WW-W29c		wooded slough adj. WI R.		CT-4W	

Table 3a- Description of Crossing Techniques

CT-1- Upland Construction Procedures

Standard construction procedures that shall conform to stormwater management and erosion control plans set forth in Section 6.0 of the application.

CT-2- Unstable Wetland Soil Conditions Construction Procedures

If saturated, unstable, or not frozen soil conditions exist, techniques including the use of construction mats, or the use of low ground pressure, tracked vehicles is required. Timber mat bridges shall be installed in wetlands that contain cross-cut channels shall be implemented.

Including, but not limited to, the following descriptors: Note 5g, 5h

CT-3- Stable Wetland Soil Conditions Construction Procedures

If the wetland to be crossed has drier, stable and cohesive soils or is frozen, construction shall proceed in a manner similar to the upland construction. If the wetland soils are not saturated at the time of construction and can support both tracked and rubber-tired equipment (e.g. backhoes, bombardiers, trucks), then construction shall include the supplemental aid of construction timber mats as required.

Including, but not limited to, the following descriptors: Note 5a, 5b, and 5c.

CT-4- Wire handling and stringing across streams

For wire handling and stringing activities required in stream-crossing areas where equipment crossing is restricted by this permit, low ground pressure bombardier shall be used to install pull ropes. The machinery shall be placed no less than 50 feet from the waterway on each side. Timber mats shall be used if rutting occurs in excess of 6 inches. The rope is pulled and staged on one side until enough slack is obtained to cross the stream width. The following methods shall be used for stringing wire across waterways:

- In streams where the width is only 5 to 15 feet, the ropes shall be tossed across the stream by hand.

- To cross a wide, shallow creek or river system, a person traversing the stream by wading shall pull the ropes.

- Where river systems are too deep to wade, the crew shall transport the pull ropes using a small, lightweight watercraft launched from a nearby road crossing or the access path. No bank alterations are allowed.

- In large river systems, an appropriate watercraft launched from the nearest public boat launch, shall be used to transport the ropes (no fill shall be placed for launching). No bank alterations are allowed.

CT-4W- Wire handling/stringing across wetlands

For wire handling and stringing activities required in wetland areas where heavy equipment crossing is restricted by this permit, equipment such as bombardiers, ATV's or pedestrian travel may be used to install conductors. Timber mat use is required if rutting occurs in excess of 6 inches.

Including, but not limited to, the following descriptors: Note 5d, 5e, 5f and 5i.

CT- 5- Stable Conditions- Requires Approval by Department

The applicant shall construct under stable conditions afforded by the most favorable combination of seasonal, physical, and hydrological factors at the site, with added matting, as necessary. Stable conditions include, but are not limited to, frozen ground, snow cover, low water table, dense vegetative cover, or intertwined root mat. Appropriate detail shall be provided in the C&MP Part B or similar document, prior to construction and subject to Department approval. CT-5 must be approved prior to the implementation of other construction techniques (i.e. CT-2, CT-3).

Including, but not limited to, the following descriptor: Note 5j, which is defined the same as CT-5.

Table 3b- DESCRIPTORS (as described in the application)

Note 5a. Wetlands that have vegetation densities that can minimize construction impacts and regenerate quickly due to residual vegetation and seed source remaining within the soil. These wetlands include grazed, agriculturally disturbed, not hummocky wet meadows, emergent and floodplain wetlands.

Note 5b. Wetlands that are in existing transmission line corridors that have been impacted from prior construction and maintenance. When applicable, access routes shall follow access paths established during prior construction activities, provided they are the best routes to minimize construction access impacts.

Note 5c. Wetlands that have strong rooting systems that can minimize construction impacts and assist in the stability of the timber matting and the facilitation of shrub regeneration. These wetlands include deciduous swamps, scrub-shrub, emergent and floodplain wetlands.

Note 5d. The action of construction equipment backtracking over the same stretch of access path along which it entered, may cause greater disturbance to both wetland and non-wetland vegetative cover and soils than if equipment continues forwards to the next structure and/or access road. These wetlands include grazed, agriculturally disturbed, scrub-shrub or deciduous wetlands.

Note 5e. Wetland avoidance is not feasible because access is required to remove existing transmission line structures that are being replaced or removed.

Note 5f. Equipment demobilization required to avoid certain wetlands may create construction inefficiencies, and secondary (gravel) roads may be severely damaged by the additional construction equipment travel.

Note 5g. Wetlands (including bogs) that are saturated during construction may require additional timber matting to support construction equipment. In some cases, mats may be placed at intervals perpendicular to the direction of travel to form a base for placement of the linear matting that should disperse equipment weight across a greater surface area. In other cases, several matting layers shall be stacked on top of each other as needed to support the weight of the equipment. At the end of the construction sequence, the mats are removed one by one using equipment deployed on the mats adjacent to the one being removed. If the underlying substrate is substantially depressed, its original elevation shall be restored as follows using an excavator deployed from the adjacent mat:

- Apply pressure to (pat down) the “ridges” that formed adjacent to the recently removed mat using the back of the excavator’s bucket.
- As secondary ridges form, pat them down in the same manner, progressing toward the center of the depression.
- Beginning again at the outer edge of the affected area and moving toward the center, continue the ‘pat down’ process until the elevation is restored.

This method of depression restoration should minimize surface disturbance. Native seed source remaining within the organic material promotes successful restoration of the wetland area.

Note 5h. Wetlands with open water during construction shall be accessed in a non-open water section of the ROW, when applicable. Alternately, additional matting shall be placed per Note 5g.

Note 5i. Wetlands that may not be avoidable due to logistical factors such as the distance of travel to avoid the wetland. Detailed rationale shall be provided in the C&MP Part B, and approved by the Department, prior to construction.

Note 5j. Wetlands where construction must occur under stable conditions afforded by the most favorable combination of seasonal, physical, and hydrological factors at the site, with added matting, as necessary. Stable conditions include, but are not limited to, frozen ground, snow cover, low water table, dense vegetative cover, or intertwined root mat. Details shall be provided in the C&MP Part B, and approved by the Department prior to construction.